

Attorney for Plaintiff  
JEFFREY BUNKLEY

**STIPULATION AND ORDER  
CONTINUING MOTION HEARING DATE  
AND ENLARGING TIME FOR PLAINTIFF  
TO RESPOND TO DEFENSE MOTION TO  
DISMISS AND DEFENDANTS' TIME TO  
REPLY**

2. Plaintiff's counsel represents the defendant in the matter of *United States v. Marcus Felder*, Docket No. CR-14-0536 MMC. A jury trial in that matter is scheduled to proceed on February 5, 2017. Plaintiff's counsel anticipates that the trial in the Felder case will take approximately two weeks to complete.

1           3.       Plaintiff's counsel also needs additional time to file his response to the  
2 defendants' Motion, which was otherwise due on January 3, 2018, pursuant to Civil  
3 Local Rule 7.3(a) and Rule 6(d) of the Federal Rules of Civil Procedure. Defendants'  
4 Memorandum of Points and Authorities in support of their Motion cites and discusses  
5 thirty-two federal cases and twelve California cases. Because the Motion was filed on  
6 December 20, 2017, Plaintiff's counsel had a total of eight working days to review the  
7 cited cases and file his response to the seven separate arguments raised in the Motion.  
8 That period of time has proved insufficient to the task of fashioning a response which  
9 addresses the issues Defendants have raised in their motion.

10           4.       The parties have requested one prior continuance in this matter that was  
11 granted by the Court modifying the date of the Case Management Conference from  
12 January 9, 2018, to January 16, 2018. (Document 15.)

13           4.       For the foregoing reasons, the parties stipulate and agree that the hearing  
14 on Defendants' Motion be continued from February 14, 2018, at 2:00 p.m., to March 7,  
15 2018, at 2:00 p.m. The parties further stipulate and agree that the date for the filing of  
16 Plaintiff's response to Defendants' Motion be modified to January 30, 2018, and the  
17 date for the filing of Defendants' reply be modified to February 21, 2018.

18 SO STIPULATED

19 DATED: January 5, 2018

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\_\_\_\_\_/s/  
PETER GOODMAN  
Attorney for Plaintiff  
JEFFREY BUNKLEY

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1 SO STIPULATED

2 DATED: January 5, 2018

3 JOHN C. BEIERS, COUNTY COUNSEL

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5 By: \_\_\_\_\_ /s/  
6 KAREN ROSENTHAL  
7 Deputy County Counsel  
8 Attorneys for Defendant  
9 NICHOLAS VERBER,  
10 RANDOLPH COUSENES and  
11 SAN MATEO COUNTY SHERIFF'S  
12 OFFICE  
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14  
15 **ORDER CONTINUING MOTION HEARING DATE AND**  
16 **ENLARGING TIME FOR PLAINTIFF TO RESPOND TO**  
17 **DEFENDANT'S MOTION TO DISMISS AND**  
18 **DEFENDANTS' TIME TO REPLY**  
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20 Based on the stipulation of the parties and good cause appearing,

21 IT IS HEREBY ORDERED that the hearing on Defendant's Motion to Dismiss,  
22 which is currently scheduled for February 14, 2018, be continued to March 7, 2018, at  
23 2:00 p.m. IT IS FURTHER ORDERED that the time for Plaintiff to file his response to  
24 Defendants' Motion to Dismiss is enlarged to January 30, 2018, and the time for  
25 Defendants to reply is enlarged to February 21, 2018.

26 DATED: January 5, 2018

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WILLIAM H. ORRICK  
UNITED STATES DISTRICT COURT JUDGE